

Appl. No. 09/826,234
Amdt. dated 12/17/04
Reply to Office action of 9/17/04

DRAWING AMENDMENTS

The attached sheet of drawings includes changes to Fig. 2. This sheet which includes Fig. 2-3, replaces the original sheet including Fig. 2-3. In Fig. 2, previously omitted element terminal 22 was added.

Please approve the drawing changes that are marked in red on the accompanying "Annotated Sheet Showing Changes" of Fig. 2. A formal "Replacement Sheet" of amended Fig. 2 is also enclosed.

Attachments: Replacement Sheet
Annotated Sheet Showing Changes

REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 1-12 remain in the application. Claims 1, 11, and 12 have been amended.

In items 1 and 2 on pages 2 and 3, respectively, of the above-identified Office Action, the Examiner has objected to the drawings of the instant application under 37 CFR 1.83(a), because terminal 22 (mentioned on page 12, line 21, page 13, line 1 of the instant specification and claims 1, 11, and 12 of the instant application)

Revised drawings submitted herewith include the addition of terminal 22 (disclosed on page 12, line 21 and page 13, line 1 of the instant specification) to Fig. 2.

Accordingly, the objection to the drawings has been obviated and the Examiner is requested to withdraw his objection.

In item 3 on page 3 of the above-identified Office Action, the Examiner objected to claims 1, 7, 11, and 12 because of two (2) informalities. The Examiner's suggested corrections have been made.

In the second item of paragraph 4 on page 4 of the above-identified Office Action, claims 1-3, 11, and 12 have been rejected as being anticipated by Johnson et al. (U.S. 6,587,804) (herein "Johnson") under 35 U.S.C. § 102(e).

Applicant respectfully notes that the Johnson et al. U.S. Patent No. 6,587,804 has an effective date as a reference of **August 14, 2000**. See 35 U.S.C. § 102(e). As set forth in the Declaration of record, the instant application claims international priority of the German Application No. **100 16 724.1**, filed **April 4, 2000**, under 35 U.S.C. § 119. Pursuant to 35 U.S.C. §§ 119, applicant is entitled to the priority date of the aforesaid German application. See MPEP §§ 201.13 and 1895. Thus, the instant application predates Johnson et al. by more than four months. Because Johnson et al. was filed after the priority date of the instant application, applicant respectfully believes that Johnson et al. is unavailable as prior art.

Applicant acknowledges that perfection of priority can only be obtained by filing a certified English translation of the German priority application. See 35 U.S.C. § 119. Applicant previously has filed a Claim for Priority (filed April 30, 2001) and a certified copy of German Application No. **100 16 724.1** and now encloses a certified English translation of

same. Accordingly, applicant respectfully believes that priority has been perfected and Johnson et al. is unavailable as prior art. Therefore, applicant respectfully submits that the Section 102 rejection on page 4 of the Office Action is now moot and requests that the Examiner withdraw the rejection.

The rejection has been noted and certain cosmetic reasons have been made to the claims as follows: claim 1, lines 7 and 21-22; claims 11 and 12, lines 7 and 23-24, respectively. These changes are neither provided for overcoming the prior art nor do they narrow the scope of the claims for any reason related to the statutory requirements for a patent.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 1, 11, or 12. Claims 1, 11, and 12 are, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claim 1.

In view of the foregoing, reconsideration and allowance of claims 1-12 are solicited.

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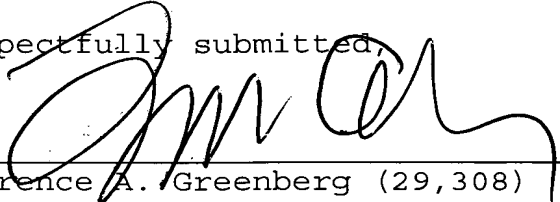
Applicant appreciatively acknowledges the Examiner's statement that claims 4-10 "would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." In view of the foregoing, applicant believes rewriting of claims 4-7 is unnecessary at this time.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made.

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Please charge any other fees that might be due with respect to
Sections 1.16 and 1.17 to the Deposit Account of Lerner and
Greenberg, P.A., No. 12-1099.

Respectfully submitted,


Laurence A. Greenberg (29,308)

FDP/bb

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Lerner and Greenberg, P.A.
Post Office Box 2480
Hollywood, FL 33022-2480
Tel: (954) 925-1100
Fax: (954) 925-1101

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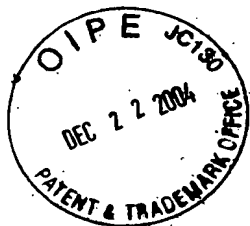


FIG 2

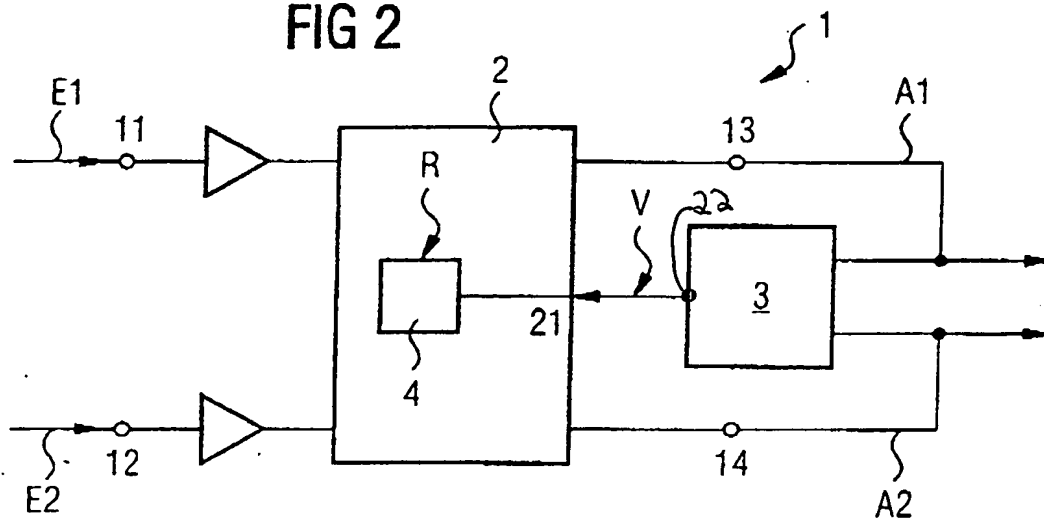


FIG 3

